

Amendment Dated 03/15/06  
Response to Office Action Dated 12/15/05

Application No. 10/786,697

### **Remarks**

Claims 1-26 are pending with this paper. Claims 1-26 are rejected.

Applicant is amending independent claims 1, 12, and 26.

### **Other Amendments**

Applicant is amending claims 1 and 12 to better clarify what is being claimed. In the claims, "wherein" is deleted and "corresponds" is replaced by "corresponding." No new subject matter is being introduced, and the amendment is supported by the specification as originally filed.

### **Claim Objections**

**Claims 13-17 and 22 are objected to because of the following informalities. The numbering of the individual features is consistent with the parent claim 12.**

Applicant believes that claims 13-17 and 22 are properly sequenced with respect to parent claim 12. Parent claim 12 includes features (a)-(f). Claims 13 and 22, which directly depend from claim 12, include features (f)-(i) and (f)-(h), respectively. Claim 14, which directly depends from claim 13, includes features (j)-(l). Claims 15, 16, and 17, which directly depend from claim 14, include features (m), (m), and (m)-(n), respectively. Thus, Applicant requests withdrawal of the objections to claims 13-17 and 22.

### **Claim Rejections – 35 U.S.C. § 102**

**Claims 1-11 are rejected by the Office Action under 35 U.S.C. 102(b) as allegedly being anticipated by US 5,506,910 (Miller).**

Applicant is amending claim 1 to clarify what is being claimed. As amended, claim 1 includes the features of "a first channel element that detects a first acoustic feedback component of a first acoustic signal and that processes the first acoustic signal from a first performance

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microphone to ameliorate the first acoustic feedback component, the first acoustic feedback component corresponding to a first feedback path from at least one speaker to the first performance microphone, **the first performance microphone and an associated acoustic source of the first performance microphone being located on a same performance stage**" and "a second channel element that detects a second acoustic feedback component of a second acoustic signal from a second performance microphone and that processes the second acoustic signal to ameliorate the second acoustic feedback component, the second acoustic feedback component corresponding to a second feedback path from the at least one speaker to the second performance microphone, **the second performance microphone and a corresponding acoustic source of the second performance microphone being located on the same performance stage.**" (Emphasis added.) The amendment is supported by the present patent application as originally filed, e.g., paragraphs 21-22 and Figure 1.

Regarding claim 1, the Office Action admits (Page 7-8.):

Miller does teach that the microphones used in automatic equalization are used in the audience section during a performance, however the claim language "performance microphone" is not limiting to an example such as an on-stage microphone as suggested by the specification. The office interprets a "performance microphone" as a microphone that is used during a performance, but does not equate the limitation as a spatial requirement on placement of a microphone.

As amended, claim 1 includes a feature regarding placement of a microphone. Claims 2-11 ultimately depend from claim 1 are not anticipated for at least the above reasons. Applicant requests for reconsideration of claims 1-11.

#### **Claim Rejections – 35 U.S.C. § 103**

**Claims 12-25 and 26 are rejected by the Office Action under 35 U.S.C. 103(a) as allegedly being unpatentable over Miller and US 4,177,356 (Jaeger).**

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Applicant is amending independent claim 12 to include the feature of "detecting, by the first channel element, a first acoustic feedback component, wherein the first acoustic feedback component corresponds to a first feedback path from at least one speaker to a first performance microphone, **an acoustic source of the first performance microphone and the first performance microphone being located on a same performance stage.**" (Emphasis added.) Applicant is similarly amending claim 26 to include the feature of "a first adaptive notch filter that processes a first acoustic signal from a performance microphone and that detects a first acoustic feedback component that corresponds to a first feedback path between the performance microphone and at least one speaker, **the performance microphone and an acoustic source of the performance microphone being on a same performance stage.**" (Emphasis added.)

As discussed above, Miller fails to even suggest a feedback path from at least one speaker to a performance microphone. Jaeger fails to make up for the deficiencies of Miller. Thus claims 12 and 26 are patentable over Miller and Jaeger.

Because claims 13-25 ultimately depend from claim 12, claims 13-25 are patentable for at least the above reasons. Applicant requests for reconsideration of claims 12-25 and 26.

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**Conclusions**

All objections and rejections have been addressed. Hence, it is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

Respectfully submitted,

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